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Attorney for Defendant and Counterclaimant:  
 Aztec Doberman Pinscher Club of San Diego

**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA**

JAMES A. FRY DBA FOX NETWORK ) CASE NO: 11-CV-1329 BTM DHB  
 SYSTEMS; )

Plaintiff)

v. )

AZTEC DOBERMAN PINSCHER )  
 CLUB OF SAN DIEGO )

Defendant)

**JOINT MOTION TO RESET  
 DISCOVERY CUT-OFF, MOTION  
 FILING CUT-OFF AND PRETRIAL  
 CONFERENCE DATES**

AZTEC DOBERMAN PINSCHER )  
 CLUB OF SAN DIEGO, )

Counterclaimant)

v. )

JAMES A. FRY DBA FOX NETWORK )  
 SYSTEMS; )

Counter-Defendant)

**Judge: Hon. Barry Ted Moskowitz  
 Magistrate Judge: Hon. David H. Bartick**

The parties request that this Court reset the Discovery cut-off, motion filing cut-off and Pretrial Conference Dates. The parties believe that good cause exists for this request because:

1. The ruling on Plaintiff's motion to file a First Amended Complaint is pending and the results would necessarily affect the nature and scope of Plaintiff's case, which would affect required discovery and the filing of motions;

1           2.     After conducting two partial-day depositions of Plaintiff, Counsel has met and  
2 conferred and agree that further deposition testimony is warranted. However, in order to  
3 accommodate Plaintiff's medical treatments, such further deposition cannot be immediately  
4 scheduled.

5           3.     After the completion of the deposition of Plaintiff, Counsel believes that there  
6 may be the need for further witness testimony or discovery.

7           Therefore, the parties hereby move that the Court reset the dates relating to  
8 discovery, motion filing and Pretrial Conference dates as follows:

- 9           a. All discovery must be completed by all parties on or before December 12, 2012.
- 10          b. All motions, other than motions to amend or join parties or motions in limine,  
11 shall be **FILED** on or before January 25, 2013.
- 12          c. In a bench trial, counsel shall serve on each other and file with the Clerk of the  
13 Court their Memoranda of Contentions of Fact and Law in compliance with  
14 Local Rule 16.1(f)(2), (3) and on or before March 11, 2013.
- 15          d. All parties or their counsel shall also fully comply with the Pretrial Disclosure  
16 requirements of Fed. R. Civ. P. 26(a)(3) on or before March 11, 2013.
- 17          e. The parties shall meet and confer on the preparation of the Pretrial Order and  
18 take the action required by Local Rule 16.1(f)(4), on or before March 18, 2013.
- 19          f. The final Pretrial Order, including objections any party has to any other  
20 parties' Fed. R. Civ. P. 26(a)(3) Pretrial Disclosures, shall be prepared,  
21 served and lodged with the Clerk of the Court on or before April 1, 2013.
- 22          g. The Pretrial conference shall be held on April 9, 2013 at 4:00 p.m.

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24 PATRICK KANE  
25 Counsel for James A. Fry, and  
26 DobermanResQ, Inc.

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28 PAMELA J. SCHOLEFIELD  
Counsel for Aztec Doberman Pinscher Club  
of San Diego